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1132 U.S. PTO

SD6942/S97681
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12/19/01

ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, D.C. 20231

UTILITY PATENT APPLICATION TRANSMITTAL
Under 37 CFR 1.53(b)

Transmitted herewith for filing is the patent application of

INVENTOR(S): James G. Fleming, Shawn-Yu Lin, and G. Ronald Hadley

FOR: MICROFABRICATED BRAGG WAVEGUIDE

I. APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (original + duplicate)
2. ☒ Specification
Total Pages ---26---
3. ☒ Drawings
Total Sheets --- 8- ---
4. ☒ Oath or Declaration (with Power of Attorney) Total Pages 3
 - a. ☒ Newly Executed
 - b. ☐ Copy from Prior Application
(Continuation or Divisional)
☐ Deletion of Inventors
Signed Statement Attached Deleting Inventor(s) named in
prior Application. 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation by Reference (if Box 4b is checked). The entire
disclosure of the prior application(s) from which a copy of the
Oath or Declaration is supplied under Box 4b, is considered as
being part of the disclosure of the accompanying application and
is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)

II. ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet and document(s))
8. ☐ 37 CFR 3.73(b) Statement (where there is an assignee) ☒ Power of Attorney (with the Declaration)
9. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
10. ☐ Preliminary Amendment
11. ☒ Return Receipt Postcard (Itemized)
12. ☐ Other

III. IF A CONTINUING APPLICATION

- ☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP)
of prior application No.

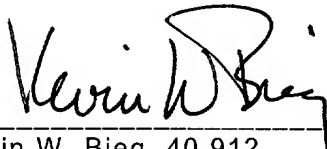
IV. CORRESPONDENCE ADDRESS

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Dated: _____

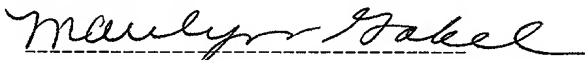
12/18/01



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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U. S. Postal Service on the 19th day of December, 2001, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL026586509US, addressed to the: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.



Marilynn Gabel

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		James G. Fleming
	Title	Microfabricated Bragg Waveguide	
	Atty Docket Number		SD6942/S97581

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/18/01

Date



Signature

Kevin W. Bieg, Reg. No. 40,912
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Application may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**